UNITED STATES PATENT AND TRADEMARK OFFICE

am

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,472	11/02/2001	Srinivas Gutta	US010529	7064

24737 · 7590 03/25/2005	EXAMINER
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510	SAIN, GAUTAM

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/004,472	GUTTA, SRINIVAS
	Examiner	**Art Unit**	
	Gautam Sain	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 November 2004</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-29</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1)   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1-1)   Claims 1, 4-9, 11-15, 17, 19-22, 25-29 are rejected under 35 U.S.C. 102(a) and

102(e) as being anticipated by Leak et al (US 6182072, issued Jan 30, 2001).

Regarding claims 1, 17, Leak teaches generating ... by a user (ie., hit list of

web search engine)(col 6, lines 25-36; fig 7, item 100).

Leak teaches allowing ... links (ie., web site with links)(col 6, lines 25-50).

Leak teaches identifying ... accessed by said user, and updating ... hit list (ie.,

URI are marked as visited and/or deleted from the list)(col 8, lines 24-26; col 8, lines 50-

54; col 7, lines 30-40).

Regarding claim 4, Leak teaches repeating steps (b) through (d) of claim 1 (ie.,

routine repeats for successive generations in hierarchy)(col 8, line 55- col 9, line 12).

Regarding claims 5, 12, 19, 26, Leak teaches ... accessing ... web site (ie.,

number of links to other web pages on the level 1 web site to level 2 web pages)(col 7,

lines 15-50; fig 9, item 903).

Regarding claims 6, 15, 22, 29, Leak teaches rearranging ...criteria (ie., web page displayed in a sequence for a defined time ... varied to accommodate the client system)(col 7, lines 44-55).

Regarding claims 7, 13, 20, 27, Leak teaches hypertext ... links (ie., image maps)(fig 1, items 109-111).

Regarding claim 8, 14, 21, 28, Leak teaches hypertext ... (URL) address (ie., html page with associated URI)(col 6, lines 58-60).

Regarding claims 9, 11, 25, leak teaches displaying ... said user (ie., displaying web pages)(col 7, lines 40-50).

Claim Rejections - 35 USC § 103

2)   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2-1)   Claims 2, 3, 10, 16, 18, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leak (as cited above).

Regarding claims 2, 16, 23, Leak does not expressly teach, but it would have been commonly known to one of ordinary skill in the art that *displaying ... search* (ie., obvious that the remaining list is the update list of pages not visited by the user)(col 8, lines 51-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Leak to include updating the remaining list of pages not yet visited

by the user since only the visited ones are deleted as taught by Leak, providing the

benefit of displaying hypertext links for locating one of a plurality of web pages as a

result of a Web search (Abstract section) so that less effort is required by the person to

view pages (col 1, lines 65-67).

Regarding claims 3, 18, Leak does not expressly teach, but it would have been

commonly known to one of ordinary skill in the art that returning said hit list ... website

(ie., a pop-up window pops up for selecting more items; the original menu still remains

in the original/modified in the original window that user can go back to)(col 8, lines 34-

38).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Leak to include a original menu list with the remaining hit list for the

user to select hit options as taught by Leak, providing the benefit of displaying hypertext

links for locating one of a plurality of web pages as a result of a Web search (Abstract

section) so that less effort is required by the person to view pages (col 1, lines 65-67).

Regarding claims 10, Leak does not expressly teach, but it would have been

commonly known to one of ordinary skill in the art that receiving a search request from a

user (ie., conventional search engines *receive search request from users*, in this case

from a remote control for television shows, media, ...)(col 3, lines 1-5; col 2, lines 67

teaches that users can request pages).

Leak teaches generating ... by a user (ie., hit list of web search engine)(col 6,

lines 25-36; fig 7, item 100).

Leak teaches monitoring ... search mode and removing ... hit list (ie., URI are marked as visited and/or deleted from the list)(col 8, lines 24-26; col 8, lines 50-54; col 7, lines 30-40).

Leak does not expressly teach, but it would have been commonly known to one of ordinary skill in the art that reproducing ... hit list based on the outcome (ie., obvious that the remaining list is the update list of pages not visited by the user)(col 8, lines 51-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Leak to include a search engine that receives search request from users and updating the remaining list of pages not yet visited by the user since only the visited ones are deleted as taught by Leak, providing the benefit of displaying hypertext links for locating one of a plurality of web pages as a result of a Web search (Abstract section) so that less effort is required by the person to view pages (col 1, lines 65-67).

Regarding claims 24, Leak teaches memory ... code (ie., mass storage device)(col 5, line 55; fig 5, item 5).

Leak teaches processor ... memory (ie., CPU)(fig 5, item 50).

Leak does not expressly teach, but it would have been commonly known to one of ordinary skill in the art that *receiving a search request from a user* (ie., conventional search engines receive search request from users, in this case from a remote control for television shows, media, ...)(col 3, lines 1-5; col 2, lines 67 teaches that users can request pages).

Leak teaches generating ... request (ie., hit list of web search engine)(col 6, lines 25-36; fig 7, item 100).

Leak teaches monitoring ... search mode (ie., URI are marked as visited and/or deleted from the list)(col 8, lines 24-26; col 8, lines 50-54; col 7, lines 30-40).

Leak does not expressly teach, but it would have been commonly known to one of ordinary skill in the art that updating ... hit list (ie., obvious that the remaining list is the update list of pages not visited by the user)(col 8, lines 51-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Leak to include a search engine that receives search request from users and updating the remaining list of pages not yet visited by the user since only the visited ones are deleted as taught by Leak, providing the benefit of displaying hypertext links for locating one of a plurality of web pages as a result of a Web search (Abstract section) so that less effort is required by the person to view pages (col 1, lines 65-67).

Response to Arguments

Applicant's arguments filed 11/18/2004 have been fully considered but they are not persuasive.

1) Claim 1, applicant argues (on page 8, top) that the Leak reference does not teach identifying user accessed hypertext links and updating a generated hit list by removing the identified hypertext links. The Examiner disagrees because Leak teaches a client system that generates a hit list of web pages searched and identifies pages that have already been displayed in the tour and refrains from displaying such pages again

by deleting duplicate URI in the list (col. 8, lines 20-26, 54). The broadest reasonable

interpretation of the claims within the art read on the this teaching in the prior art.

    2) Claims 2-9, Applicant's request for reconsideration is not persuasive.

    3) claim 10, Applicant argues that Leak reference is not the same as the claimed

subject matter. The Examiner disagrees because Leak teaches a client system that

generates a hit list of web pages searched and identifies pages that have already been

displayed in the tour and refrains from displaying such pages again by deleting

duplicate URI in the list (col 8, lines 20-26, 54). The broadest reasonable interpretation

of the claims within the art read on the this teaching in the prior art.

    4) Claims 11-16, Applicant's request for reconsideration is not persuasive.

    5) claim 17, Applicant argues that Leak reference is not the same as the claimed

subject matter. The Examiner disagrees because Leak teaches a client system that

generates a hit list of web pages searched and identifies pages that have already been

displayed in the tour and refrains from displaying such pages again by deleting

duplicate URI in the list (col 8, lines 20-26, 54). The broadest reasonable interpretation

of the claims within the art read on the this teaching in the prior art.

    6) Claims 18-23, Applicant's request for reconsideration is not persuasive.

    7) claim 24, Applicant argues that Leak reference is not the same as the claimed

subject matter. The Examiner disagrees because Leak teaches a client system that

generates a hit list of web pages searched and identifies pages that have already been

displayed in the tour and refrains from displaying such pages again by deleting

duplicate URI in the list (col 8, lines 20-26, 54). The broadest reasonable interpretation of the claims within the art read on the this teaching in the prior art.

6) Claims 25-29, Applicant's request for reconsideration is not persuasive.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GS

SANJIV SHAH
PRIMARY EXAMINER